

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - ZON-11031 - APPLICANT: ERIC MILLER -
OWNER: CABALLOS DE ORO ESTATES, LLC**

**** CONDITIONS ****

The Planning Commission (6-1/ds vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Major Modification (MOD-11027) to allow attached single-family dwellings and three-story structures in the L (Low Density Residential) special land use designation of the Lone Mountain West Master Development Plan, approved by the City Council.
2. A Site Development Plan Review (SDR-11034) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 30 feet of right-of-way adjacent to this site, extending to the western edge of this site, for Buckskin Avenue.
4. Construct half-street improvements on Buckskin Avenue including a termination at the western edge of this site acceptable to the City Engineer concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Submit an Encroachment Agreement for any landscaping and private improvements, if any, located within the Buckskin Avenue public right-of-way adjacent to this site prior to occupancy of this site.
6. An update to the Lone Mountain West Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas

recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Rezoning from U (Undeveloped) [PCD (Planned Community Development) Master Plan Designation) to PD (Planned Development) on five acres located west of the intersection of Cheyenne Avenue and the Clark County 215 Beltway. Companion requests for a Major Modification (MOD-11027), a Waiver of Title 18 (WVR-12368), a Variance (VAR-11030), a Vacation (VAC-12255) and a Site Development Plan Review (SDR-11034) for a 30-unit attached single-family development have been submitted concurrently.

EXECUTIVE SUMMARY

This request is consistent with both the Master Plan Designation of PCD (Planned Community Development) and with the Lone Mountain West special land use designation of L (Low Density Residential). Approval of this request, and of several companion applications, will facilitate the development of 30 attached single-family townhome-style units on the site.

BACKGROUND INFORMATION

A) Related Actions

- 02/16/00 The City Council approved a petition to annex property (A-0046-99) located on the northeast corner of Buckskin Avenue and Puli Drive, containing approximately 5.0 acres of land. The Planning Commission and staff had recommended approval on 11/04/99. The effective date was 02/25/00.
- 10/26/00 The Planning Commission recommended denial of a request for a Site Development Plan Review [Z-0094-00(1)] for a proposed 72,000 square-foot office development on 5.0 acres located on the northeast corner of the intersection of the Puli Road and Buckskin Avenue alignments. This application was subsequently withdrawn without prejudice before the City Council on 12/06/00. Staff had recommended denial.
- 12/06/00 The City Council approved a request for a Rezoning (Z-0094-00) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on five acres located on the northeast corner of the intersection of Puli Road and Buckskin Avenue alignments, subject to a Resolution of Intent with a two-year time limit. The Planning Commission and staff had recommended approval on 10/26/00. This approval expired on 12/06/02.

- 01/27/05 The Planning Commission voted to abey several related requests to its regular meeting of 02/24/05, to give the applicant an opportunity to meet with adjacent property owners. These requests included a Major Modification (MOD-5781) of the Lone Mountain West Master Development Plan to change the land use designation from L (Low Density Residential) to MFM (Multi-Family Medium Residential), and to amend Tables #1, #2, #3 and #4 (Section 2.2) to reflect changes to the land use categories and number of residential units, a Rezoning (ZON-5785) to rezone the site to PD (Planned Development), a Variance (VAR-5786) to allow a 15-story building where a maximum height of three stories was permitted, a Variance (VAR-5792) to allow 168 parking spaces where 222 spaces are required, and a Site Development Plan Review (SDR-5781) to allow a 15-story, 125-unit condominium development on the subject site.
- 02/10/05 The Planning Commission voted to abey a related request (VAC-5793) to its regular meeting of 02/24/05, to be heard with companion items and to give the applicant an opportunity to address the issue of a horse trail on the site with staff.
- 02/24/05 The Planning Commission voted to abey MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to its regular meeting of 4/28/05, to allow the applicant time to redesign the project.
- 04/28/05 The Planning Commission voted to table MOD-5784 ZON-5785 VAR-5786 VAR-5792, VAC-5793 and SDR-5781 to allow the applicant time to adjust this and companion applications in order to present a revised version of the project.
- 05/25/06 The Planning Commission recommended approval of companion items MOD-11027, WVR-12368, VAR-11030, VAC-12255 and SDR-11034 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #16/gl).

B) Pre-Application Meeting

- 11/16/05 The project was analyzed to identify the necessary submissions and the applicant was advised of the submission requirements for the project and was also advised of pertinent issues as seen by staff at that time.

C) Neighborhood Meetings

- 02/02/05 A neighborhood meeting is not required for a Rezoning application; however, one was required for companion request Major Modification MOD-11027.
- The applicant sponsored this meeting at the Clark County Rainbow Library, 3150 North Buffalo Drive, Las Vegas, Nevada, starting at 5:30 p.m. The meeting was attended by three members of the public, three members from the design team, and a city representative.

The developer's representative presented several design boards of the project in an informal manner for the public to review and ask questions. The members of the public asked questions and made the following comments:

a. Clarification of the project site was requested by one of the attendees.

Response: The applicant's architect reviewed the exact location of the project site which clarified the public's concern of a different site location.

b. Question as to the height of the proposed project.

Response: The developer's representative noted that the height of the residential buildings would be a maximum of 35 feet with a split level three story design.

No further questions were raised. General discussion of the overall project ensued between the developer and members of the public in an informal manner. No specific objections were raised, as the height of the proposed structures appeared to be acceptable at 35 feet as explained by the architect.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.0

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped (park under design and development)
East: Office Building
West: Red Rock Canyon National Conservation Area

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development)
L (Low Density Residential) Lone Mountain West Special Land Use Designation
North: PCD (Planned Community Development)
L (Low Density Residential) Lone Mountain West Special Land Use Designation
South: PCD (Planned Community Development)
PROS (Parks, Schools, Recreation, Open Space) Lone Mountain West Special Land Use Designation
East: PCD (Planned Community Development)
VC (Village Commercial) Lone Mountain West Special Land Use Designation
West: (RC) Resource Conservation

D) Existing Zoning

Subject Property: U (Undeveloped) [PCD (Planned Community Development)]
 North: U (Undeveloped) [PCD (Planned Community Development)]
 South: C-V (Civic)
 East: PD (Planned Development)
 U (Undeveloped) [PCD (Planned Community Development)] under
 Resolution of Intent to PD (Planned Development)
 West: Clark County

E) General Plan Compliance

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain West Master Development Plan area and is designated as L (Low Density Residential) special land use designation by that Plan.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Lone Mountain West Master Development Plan	X	
Special Overlay District		X
Trails	X	
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Lone Mountain West Master Development Plan

The proposed development is not in compliance with the Lone Mountain Master Development Plan, due to the proposed height and the type of use, being an attached single-family product. The applicant is attempting to address these issues through companion cases Major Modification (MOD-11027) and Variance (VAR-11030).

Trails

Although not required pursuant to the city's Trails Elements, there is an existing equestrian trail that bisects the subject site along the base of the mountain. It is the intent of the applicant to preserve this informal trail along the northern edge of the proposed development.

F) Density

<i>EXISTING ZONING</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED ZONING</i>	<i>PERMITTED DENSITY</i>	<i>GENERAL PLAN</i>	<i>PERMITTED DENSITY</i>
U (Undeveloped)	2 du/ac	PD	No stated limit	PCD L (Lone Mountain West)	8 du/gross ac 6 du/gross ac

Although no limit to density is stated within the PD (Planned Development) zoning district, use of this district is tied directly to an approved master development plan. In this case, the Lone Mountain West Master Development Plan limits density on the subject site to six units per acre. Any development that is allowed pursuant to the proposed PD (Planned development) zoning district will be consistent with this maximum density.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The General Plan category of PCD (Planned Community Development) defers to the approved master development plan for all policy structure other than a limitation of eight units of residential development per gross acre of the overall site. The proposed Rezoning request does not conflict with the mandate. The proposed rezoning is also consistent with the existing L (Low Density Residential) Lone Mountain West special land use designation for the site.

2. "The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."

The proposed Rezoning will facilitate the approval of a related Site Development Plan Review, SDR-11034, concurrently with this request. Although the density of the related project is consistent with the currently approved density in the Lone Mountain West Plan for this site, the proposed building height and the attached single-family use are not consistent with the current parameters of the L (Low Density Residential) special land use designation. The applicant is seeking a Major Modification (MOD-11027) to the Plan and a Variance (VAR-11030) to Title 19 to address these issues.

The architectural theme of the related project is inconsistent with the stated development themes for the Plan area, as it is not Italian Renaissance, Mission, or Southwest Contemporary in appearance. It is a relatively plain, very modern looking project with limited relationship to the stated themes; however, due to the isolated location of the site, and it's relative similarity to the style of the adjacent office structures, approval of this waiver to the architectural theme can be recommended.

3. "Growth and development factors in the community indicate the need for or appropriateness of the rezoning."

The PD (Planned Development) Zoning District is the intended zoning district for all of Lone Mountain West. The development pattern in this area is set through the special land use designation of the Lone Mountain West Master Development Plan, and not through this zoning district. This request is appropriate, as it will facilitate urban development within the area, pursuant to Plan policies for the area.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

The site is located at the end of Buckskin Avenue, a 60-foot wide local street; the street segment is currently shared only with the abutting property to the east, but will be required to provide access to the park site to the south and federal lands to the west. Access and circulation will have a little impact on adjacent roadways.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 4

SENATE DISTRICT 9

NOTICES MAILED 340 by Planning Department

APPROVALS 0

PROTESTS 8